COLLEGE OF PHYSICIANS AND SURGEONS
NEW YORK CITY 1807

# Report AND Address,

*DELIVERED BY THE*

## PRESIDENT,

TO THE MEDICAL SOCIETY OF THE COUNTY

OF NEW-YORK;

*TOGETHER WITH THE*

# Charter

OF THE

## COLLEGE OF PHYSICIANS & SURGEONS

*IN THE*

## CITY OF NEW-YORK.

*PUBLISHED BY ORDER OF THE SOCIETY.*

NEW-YORK:

PRINTED BY JAMES CHEETHAM.

1807.

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*At a meeting of the Medical Society of the county of New-York, held at the City-Hall, on Monday, March 23d 1807, it was*

*Resolved, that a committee be appointed to cause to be printed five hundred copies of the Report and Address, delivered by the President, to this Society, together with the Charter of the College of Physicians and Surgeons;*

*Whereupon,*

*Dr. RODGERS,*
*Dr. GILLESPIE,*
*Dr. BIRCH,*
*Dr. SEAMAN, and*
*Dr. BRUCE,*

*Were appointed a committee for that purpose.*

*Extract from the Minutes.*

*ARCHIBALD BRUCE,*
*Secretary.*

# REPORT AND ADDRESS.

GENTLEMEN,

HAVING been honoured by this ſociety with their commiſſion as delegate to the Medical Society of the ſtate, and alſo with other marks of their conſideration, I muſt now beg your indulgent attention to my official report, and to an explanation of my official conduct.

On my arrival in the city of Albany, I was informed by the preſident of the Medical Society of the ſtate, that the society had been duly organized—twenty-two delegates had attended—certain bye-laws had been enacted. The ſociety had agreed to preſent a petition to the legiſlature, to paſs an act to divide the members of the Medical Society of the ſtate into claſſes, and to make ſome proviſion for the ſupport of the ſociety. They had examined and licensed one or more candidates to practiſe phyſic and ſurgery, and had adjourned to meet on the firſt Tueſday in February next. A copy of the bye-laws of the Medical Society of the ſtate has been delivered to the ſecretary for the uſe of this ſociety.

The members of the legiſlature, as well as the medical gentlemen whom I had the pleaſure to meet in Albany, were informed by me of the grateful ſentiments which my medical brethren of the county of New-York would always entertain towards the honourable the legiſlature of the ſtate, and eſpecially thoſe enlightened men by whoſe attention to the public good, and the intereſt and honour of the profeſſion, the act had been obtained for incorporating medical ſocieties for the purpoſe of regulating the practice of phyſic and ſurgery in this ſtate—they conſidered that act of the legiſlature as among the firſt efforts made in this country to reduce medicine to a regular ſcience, by inveſting the privileges of medical men, in the body of the members of the profeſſion—that the eſtabliſhment of the College of Phyſicians in London during the reign of Henry the Eighth, was the firſt act which raiſed the reputation of the medical profeſſion in Britain, by taking the government of that profeſſion out of the hands of colleges and of the clergy, who, in leſs enlightened times, had been inveſted with the ſame. In like manner the Medical Society of the county of New-York, cheriſhed the hope that by an union with the other medical ſocieties of the ſtate, and a preſervation of the rights granted them by the legiſlature, the medical profeſſion would be improved, and its members might, by their uſefulneſs, gain the reſpect and eſteem of their fellow-citizens.

It was further ſtated that my medical brethren of the county of New-York did not ſuppoſe they could expreſs their gratitude to the honourable the legiſlature of the country in a more dignified and generous manner than by a liberal and juſt exerciſe of the powers with which they were inveſted by law.—That they received, as members of the ſociety, all Phyſicians and Surgeons reſident in the county of New-York, and authoriſed by the former laws to exerciſe their ſeveral profeſſions—that they had appointed a reſpectable committee to confer with truſtees of colleges reſpecting the beſt means of promoting medical education—that the members of the ſociety had been divided into claſſes to promote in a ſpecial manner certain ſpecific parts of medical ſcience—they had examined and licenſed three candidates to practiſe phyſic and ſurgery, and now wiſhed to continue ſecure in the excluſive rights and privileges with which they were inveſted at the time of their incorporation: and that they might promote and cheriſh the ſcience of medicine under the patronage of the ſtate, to ſee thoſe duly educated in a knowledge of the healing art, who in the courſe of nature, might be deſtined to ſupply their places

The liberal conduct of this ſociety ſince its incorporation and the laudable and virtuous views entertained by the members, could not be expreſſed without exciting emotions in the minds of generous and enlightened men, and I have juſt reaſons to ſuppoſe that had I preſented the memorial to the honourable the legiſlature, for incor-

porating this ſociety into a college of Phyſicians and Surgeons, it would have been attended with ſucceſs—It is however with ſincere regret I have to inform you that I could not preſent the memorial without exciting thoſe unpleaſant reflections and remarks which are commonly manifeſted by the public in all the diſputes of profeſſional men, which I wiſhed ſeriouſly to avoid, and would only ſubmit to under imperious circumſtances—many of my fellow members can be no ſtrangers to the ſituation in which I have been placed: I ſhall truſt to their generoſity for a juſt appreciation of the motives by which I have been actuated—the ſociety's memorial is returned to the ſecretary.*

The memorial to the honourable the legiſlature on the part of this ſociety and others, for the uſe of the government houſe, was received by me when at Albany; a previous application, however, had been made by the city corporation for the purchaſe of that houſe, and the circumjacent ground, and which was favorably reported on by a committee of the legiſlature. I did not therefore think proper to preſent the memorial, and I hope my conduct will be approved by this ſociety, eſpecially when they reflect on the kind attention of that corporation to this inſtitution ſince its firſt eſtabliſhment—that memorial is alſo placed in the hands of the Secretary.

* Certain practitioners of Phyſic, reſiding in the city of New-York, ſigned a memorial to the legislature, againſt eſtabliſhing in the city of New-York a College of Phyſicians and Surgeons.

Hesitating, therefore, to present to the honourable the legislature the memorials, from the causes I have mentioned, and conceiving a new institution as a College of Physicians and Surgeons, distinct from this society, might be equally agreeable to my fellow-members, I was induced to apply by memorial to the chancellor and regents of the University for that purpose, presenting at the same time, your memorial to that honourable board.

On the second of March I was invited to a meeting of a board of the regents of the University, to explain to them the objects contemplated by this society in the institution of a College of Physicians and Surgeons, when I stated, as well as I was able, the advantages which would be derived by the public, as well as professional men, from such an establishment. The memorials were afterwards referred to a committee to examine and report on the expediency of granting the same; and I had the honour to attend the committee of the regents on the subject of their investigation, when I gave them the fullest information in my power on all the subjects of their enquiries. I stated, in a special manner, the advantages which the English nation had derived from the establishment of the College of Physicians in London —that a member of that college (Dr. Harvey) had made himself immortal by the discovery of the circulation of the blood—That many others had obtained the highest consideration by their usefulness and respectability—That

the members of that college had contributed more than any other community of men to give a poliſh and refinement to that nation; to diffuſe a love of ſcience and the uſeful arts —That it was now the deſire of this ſociety to be alſo incorporated into a College of Phyſicians and Surgeons, that they might endeavour to be uſeful to their country.

I may intrude on your attention by continuing this report. The committee of the regents weighed every thing that was ſaid by me on the part of this ſociety; they equally attended to the remonſtrance from certain members of the ſociety—they conſidered the rights and pretenſions of the colleges of this ſtate, and I am confident were ultimately guided in their determination by their love of ſcience and attention to the public good.

The committee of the regents, I was informed, were unanimous in their report, and the regents agreed without one diſſenting voice to grant a charter for eſtabliſhing a College of Phyſicians and Surgeons in this city. The charter was drawn as favourable to the profeſſion as could be expected, and with due regard to the rights of every member of this ſociety.

My fellow-members of this ſociety may be congratulated on this important event, which may form a new æra in the annals of medicine—we have obtained for ourſelves

and our country, a uſeful academic inſtitution—in it we are united with thoſe valuable men, who, without our knowledge, obtained from the legiſlature, the priviſeges which this ſociety enjoys, by the act for its incorporation.

It would have afforded me the higheſt ſatisfaction had my fellow-members of this ſociety been as unanimous in favour of eſtabliſhing a College of Phyſicians and Surgeons, as the regents were in granting the ſame. On this ſubject I have experienced a difference of opinion among profeſſional gentlemen, who have been long eſtabliſhed in this city.

I did humbly conceive I was introduced into the chair of this ſociety by my fellow-members to ſupport its rights and privileges, and to perform, as well as I was able, the duties of my office—I have in conſcience done ſo. If in doing my duty I have given offence to any member, I ſhall feel regret. It is well known that the College of Phyſicians in London, exact and demand examinations from all the graduates of the Britiſh Univerſities, before they will licenſe them to practiſe. The ſtate has given us the ſame powers—I ſee no reaſon we ſhould relinquiſh them; if the legiſlature has in the act incorporating this Society, ſhewn courteſy to ſtrangers, I hope my fellow-members will not complain of the liberality which has been manifeſted by ſuch high authority.

I have now to inform you that the Charter for eſtabliſhing in this city a College of Phyſicians and Surgeons, is in the hands of the ſecretary of this Society, and I pray Almighty God that Inſtitution may in its operation be uſeful to this Nation, and be handed down with honour to the lateſt poſterity.

# Charter

OF THE

# *COLLEGE OF*

# PHYSICIANS AND SURGEONS

IN THE

# *CITY OF NEW-YORK.*

# CHARTER.

## *By the Regents of the University of the State of New-York.*

WHEREAS the Medical Society of the county of New-York have preſented unto us their Memorial, under the ſeal of the ſaid Society, teſtified by Archibald Bruce, Secretary, ſtating that their efforts to contribute to the diffuſion of ſcience, and the improvement of the medical profeſſion would be more ſucceſsful, if they were directed under the patronage of the Regents of the Univerſity of this ſtate, and were incorporated as a College of Phyſicians and Surgeons, and praying us to favor the views of the ſaid ſociety, ſo far as they are connected with the public good, and with which the improvement of the medical profeſſion is intimately connected, and that the ſaid ſociety may be incorporated as a College of Phyſicians and Surgeons, under our patronage.

AND WHEREAS, Nicholas Romayne, preſident of the ſaid Medical Society, of the ſaid County of New-York, has alſo preſented unto us his memorial in writing, ſtating that the ſaid Medical Society is directed by law, to examine ſtu-

dents of medicine, and to grant licences to ſuch as are properly qualified to practiſe phyſic or ſurgery, or both—That the ſaid Society are impreſſed with the importance to the public, that a ſyſtem of medical education ſhould be inſtituted under their inſpection, and praying us, in behalf of the ſaid medical ſociety of the county of New-York, and of each and every member thereof, that all the members of the medical ſociety of the county of New-York, might be incorporated by us, into a College of Phyſicians and Surgeons under our direction and patronage, with all ſuch rights and privileges, as might conduce to the promotion of medical knowledge, and the public good. AND we having taken the ſaid memorials into our conſideration, and being ſatisfied that a College of Phyſicians and Surgeons eſtabliſhed in the city of New-York, for the ſole purpoſe of promoting medical ſcience, may be of public importance in diffuſing the knowledge of the healing art.

BE IT THEREFORE ORDAINED BY US, by virtue of the act entitled, "An act to enable the Regents of the Univerſity, to eſtabliſh a College of Phyſicians and Surgeons within this ſtate," paſſed the 24th day of March, 1791, and we do by theſe preſents, ORDAIN, GRANT, AND DECLARE, That a *College of Phyſicians and Surgeons, for the promotion of medical ſcience, and diffuſing the knowledge of the healing art*, ſhall be, and is hereby eſtabliſhed in the city of New-York, in this ſtate, and that Sir James Jay,

James G. Graham, Alexander Sheldon, Samuel L. Mitchill, William Livingſton, Iſaac Sargeant, Peter C. Adams, John Ely, Hugh Williamſon, William M'Clelland, William Wheeler, Morris Willard, John Stearns, Philip Smith, Weſtel Willoughby, Caleb Sampſon, Dunforth Shunway, Hugh Henderſon, Gurdon Huntington, James Moore, John H. Friſbee, Barnabas Smith, Reuben Hart, Jeſſe Shepherd, Thomas B. Whitmarſh, David R. Arnell, Lyman Cook, John M. Mann, James Smith, Samuel Bard, Samuel Stringer, Hunloke Woodruff, Joſeph White, Ebenezar Sage, Richard Udall, John Smith, Charles D. Cooper, Elias Willard, Jacob Outwater, Benjamin De Witt, Abraham Corneliſon, David Haſbrouck, Charles Mitchell, Felix Paſcalis, Samuel Torbet, Joſhua E. R. Birch, John Riddell, George Anthon, John I. Coventry, Gardner Jones, Philip Turner, Lewis Faugeres, Samuel Neſbit, John Onderdonk, William Moore, Nicholas Romayne, James Tillery, Archibald Bruce, Valentine Seaman, David Hoffack, John R. B. Rogers. Wright Poſt, Edward Miller, William Hamerſley, James S. Stringham, John H. Douglaſs, George W. Chapman, William James M'Niven, John D. Jaques, Malachi Foote, Andrew Morton, John D. Gilleſpie, Alexander Hoffack, Philip D. Kettletas, John Clark, Charles Buxton, Michæl Degray, Daniel B. Cornelius, Joel Hart, Abraham Brower, John Wilſon, Eloy Berger, Richard S. Kiffam, Andrew Hunt, Benjamin Prince, Beekman Van Beuren, John Hicks, Joſeph Bloodgood, Matthew Wendell, Samuel Bradhurſt, John Stone, Baron A. De Caron-

deffez, George D. Cluffman, Samuel Ofburn, Benjamin Low, Joſhua Secor, Benjamin Rockwell, Shadrack Ricketſon, George C. Quackenbos, Robert Thorn, Abraham Lozier, and all others who are now members of the Medical ſociety of the county of New-York, and all phyſicians and ſurgeons now reſident in the county of New-York, and authoriſed by law to practiſe in their ſeveral profeſſions, ſhall be the preſent truſtees or members of the ſaid college, and that the ſaid truſtees or members and their ſucceſſors, ſhall be a body corporate and politic in fact, and in name, by the name of "THE COLLEGE OF PHYSICIANS AND SURGEONS IN THE CITY OF NEW-YORK," and ſhall have perpetual ſucceſſion, and by that name ſhall be in law capable to ſue and be ſued, to plead and be impleaded, to anſwer and be anſwered unto, to defend and be defended in all courts and places, and in all matters and cauſes whatſoever, and to purchaſe, take, hold, enjoy and have, lands, meſſuages, tenements, hereditaments, and real eſtate, in fee ſimple, or for term of years, or lives, or in any other manner whatſoever, and alſo goods, chattles, books, monies, and all other things, of what nature ſoever; *Provided always*, that ſuch eſtate, as well real as perſonal, which the ſaid college is hereby authoriſed to hold, ſhall not exceed the ſum of one hundred and fifty thouſand dollars, current money of this ſtate, and that the truſtees or members of ſaid college, ſhall and may have a Common Seal, and may alter and renew the ſame at their pleaſure.

*And it is hereby further ordained, granted, and declared,* That the truſtees or members of the college of phyſicians and ſurgeons hereby eſtabliſhed, ſhall and may meet together on the firſt Tueſday in May next, at twelve o'clock of that day, in the City-Hall of the city of New-York, or at ſuch other hour and place as may be directed by the Chancellor of the Univerſity, and ſhall then elect by ballot, a Preſident, Vice-Preſident, Regiſter, Treaſurer, and thirteen Cenſors, who ſhall hold their reſpective offices for one year, and until others ſhall be choſen in their places, and the firſt Tueſday in May ſhall be forever after the day for the anniverſary meeting, of ſaid college of phyſicians and ſurgeons, and on which day the preſident and other officers before enumerated, ſhall be elected as aforeſaid, and their quarterly meetings ſhall be on the firſt Tueſday in Auguſt, November and February in every year, and that on the days of their anniverſary meeting, and at their quarterly meetings, but at no other time, they the ſaid truſtees or members, may enact ſuch bye-laws, rules and regulations, relative to the affairs, concerns, and property of ſaid College, and relative to the duties of their Preſident, Vice preſident, Regiſter, Treaſurer, Cenſors, and other members, as they or a majority of the members of ſuch annual or quarterly meetings may think fit and proper; *Provided* ſuch bye-laws, rules, and regulations, be not contrary to, or inconſiſtent with the conſtitutions and laws of this State, or the United States, or the Ordinances made by us or our ſucceſſors, Regents of the Uni-

verſity of this ſtate. And the Regiſter of the ſaid College, ſhall provide a book, in which he ſhall make an entry of all the reſolutions and proceedings which may be had from time to time, and alſo the annual reports relative to the ſtate of the treaſury, and all ſuch other things as a majority of the members of the college ſhall think proper, to which any member of the college may at any time have recourſe, and the ſame together with all books, papers, and records, which may be in the hands of the Regiſter, and be the property of the college, ſhall be delivered to his ſucceſſor in office. And the treaſurer of the ſaid college ſhall receive and be accountable for all monies which ſhall come into his hands, and ſhall pay the ſame in ſuch manner as may be directed by a majority of the members of ſaid college convened at the anniverſary or quarterly meetings, and by a warrant for that purpoſe, ſigned by the preſident or vice-preſident.

*And it is hereby further ordained and declared,* That in caſe it ſhould at any time happen, that an election of the ſaid officers, ſhould not be made on the day when purſuant to this ordinance, it ought to have been done, the ſaid corporation ſhall not for that cauſe be deemed to be diſſolved, but it ſhall be lawful on any other day within three months thereafter to hold and make an election for the ſaid officers, in ſuch manner as ſhall have been regulated by the bye-laws of the ſaid corporation.

*And it is hereby further ordained, granted and declared by us,* That the ſaid college of phyſicians and ſurgeons, ſhall, as far as they are able, at all times provide ſuitable apartments for all ſuch profeſſors as ſhall hereafter be nominated and appointed by us in and for ſaid college, and which profeſſors ſhall have the ſtile and title of "Profeſſors of the Univerſity of the ſtate of New-York, for the college of Phyſicians and Surgeons," and that all the members of ſaid college ſhall be privileged from time to time and at all times to attend, inſpect, and notice, all lectures or other mode of teaching by the profeſſors in ſaid college appointed by us, and that in caſe of death or reſignation of any profeſſor or other vacancy in ſaid college, a majority of the truſtees or members of ſaid college at any of their meetings may appoint lecturers in any branch of medicine or of the ſciences connected therewith, until ſuch time as our pleaſure be known reſpecting the ſame, or profeſſors be appointed by us—and that it ſhall and may be lawful at all times for them the ſaid truſtees or members to appoint lecturers in ſaid college in any branch of ſcience for themſelves and for their own inſtruction.

*And it is hereby further ordained, granted and declared,* That the Preſident, Vice Preſident, Cenſors and all others, the truſtees or members of ſaid college, ſhall carry and put into full effect all our ordinances reſpecting the ſaid college as well with reſpect to education as all other

matters and things, and ſhall pay due attention towards eſtabliſhing and preſerving for the ſaid college an Anatomical muſeum and Chemical elaboratory and Botanic Garden, and ſhall make an annual report to us in writing, or to the Chancellor of the Univerſity in the month of January in every year, reſpecting the funds and property of the ſaid college and all matters and things relative to ſaid College, and the ſtudents and profeſſors thereof.

*And it is further ordained, granted and declared,* That twenty-one truſtees or members of the ſaid college may form a board to do buſineſs at any of the anniverſary, quarterly or extraordinary meetings; and that the Preſident or in his abſence the Vice-Preſident of ſaid college ſhall appoint and direct a ſpecial or extraordinary meeting to be called of the truſtees or members of ſaid college at any time or place he may think proper, provided application be made to him in writing for that purpoſe, ſigned by thirteen truſtees or members, and the ſaid meeting be previouſly advertiſed for ſix days in two of the newſpapers printed in the city of new-York, and that at all meetings of the college in the abſence of the Preſident or Vice Preſident, the ſenior Cenſor on the liſt of the College, then preſent ſhall preſide, and that the truſtees or members of ſaid College may at any of their anniverſary, quarterly or extraordinary meetings adjourn from day to day.

*And it is further ordained, granted and declared,* That the

Preſident, Vice Preſident, Truſtees or Members of ſaid college may at any time and at all times recommend to us any perſon reſiding in the county of New-York, and lawfully authoriſed to practiſe phyſic and ſurgery, or any phyſician or ſurgeon or perſon eminent for learning and talents to be a truſtee or member of ſaid College of Physicians and Surgeons, and any Phyſician and Surgeon reſident for two years in the county of New-York, being of good moral character and authoriſed by law to practiſe in his profeſſion, may apply to us to be nominated and appointed a truſtee or member of ſaid college, and that the ſaid college may direct that the preſident of the ſaid college grant appropriate diplomas under the hand of the Preſident and ſeal of ſaid College teſtified by the regiſter, certifying the name of every ſuch truſtee or member of the College.

*And be it further ordained and declared*, That reſerving to ourſelves and our ſucceſſors Regents of the Univerſity of this State all powers to appoint profeſſors in ſaid College, and alſo all powers to appoint and diſplace any truſtee or member of ſaid college, now nominated and appointed by this charter, or hereafter to be appointed by us or our ſucceſſors, and alſo reſerving all powers to confer degrees on any member or truſtee or ſtudent of ſaid college, which in our opinion and in the opinion of the preſident and other truſtees and members of ſaid College, may be worthy of any literary mark of diſtinction, in ſuch manner as may be directed by us, and

alſo reſerving to ourſelves and our ſucceſſors the right of appointing Fellows and honorary members for ſaid college, and alſo of making ſuch further grants or Ordinances, as we and our ſucceſſors may find neceſſary and uſeful for ſaid College, and alſo reſerving to ourſelves and our ſucceſſors the right to alter and modify this Ordinance, eſtabliſhing the ſaid College, whenever we or our ſucceſſors ſhall deem it neceſſary or expedient.

*We do finally ordain, grant and declare*, That the ſaid truſtees and members of the *College af Phyſicians and Surgeons, in the City of New-York, and their ſucceſſors forever*, ſhall enjoy all the corporate Rights Privileges and Immunites which are hereby granted.

*In teſtimony whereof we have cauſed our common ſeal to be affixed to theſe preſents, the twelfth day of March in the thirty-firſt year of the Independence of the United States, and of our Lord, one thouſand eight hundred and ſeven.*

[L. S. A.] MORGAN LEWIS.

*By command of the Chancellor,*

FR. BLOODGOOD, Secretary.